

Attorney Docket No.: JMP-0002
Inventors: J. Michael Pitale
Serial No.: 09/516,564
Filing Date: June 6, 2000
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REMARKS

Claims 1-2 are pending in the instant application. Claims 1-2 have been rejected. Claims 1 and 2 have been amended. Support for these amendments can be found in the specification at page 4, lines 6-16 and Examples 3 and 4. Reconsideration is respectfully requested in light of these amendments and the following remarks.

I. Objection to Claim 2

Claim 2 has been objected to for the following informality: the limitation "first entry and second entry valid identification comprises a PIN". The Examiner suggests that the claim should read "first entry and second entry of a valid identification comprises a PIN". Accordingly, in an earnest effort to advance the prosecution of this case, Applicants have amended claim 2 to read "first-entry and second-entry of valid identification comprise". Support that there are two valid identifications is provided in teachings of the specification at page 4, lines 6-16 and Examples 3 and 4. No new matter is added by this amendment and entry is respectfully requested.

II. Rejection of Claims 1-2 under 35 U.S.C. § 102(b)

Claims 1-2 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Eisenberg. The Examiner suggests that Eisenberg discloses an ATM machine comprising a computer to receive identification, determine if the

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identification is from a user who is under duress and activate an alarm if it is an alert identification. The Examiner suggests that Eisenberg also discloses that if the ATM receives a first ID, it can still determine if a second ID is needed. With regard to claim 2, the Examiner suggests that Eisenberg discloses the identification of a PIN number.

Applicant respectfully traverses this rejection.

The Examiner cites column 3, lines 41-44 of Eisenberg as teaching that if the ATM receives a first ID, it can still determine if a second ID is needed. It is respectfully pointed out, however, that col. 3, lines 41-44 of Eisenberg is addressing the issue of incorrect entry of the first valid identification. If the user enters the wrong PIN number, the user is again promoted to enter the correct PIN number. Thus, the first entry made by the user in this situation does not constitute a first **valid** entry. Further, the second entry made by the user is simply the correct first valid entry, not another, different valid entry.

In contrast, in the present invention, the second valid entry constitutes another form of identification, not simply correct entry of the first form of identification. This is made clear in the patent application, for example at page 4, lines 6-16, and Examples 3 and 4.

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In an earnest effort to advance the prosecution of this case and in accordance with teachings at page 4, lines 6-16 and Examples 3 and 4, Applicant has amended claim 1 to clarify that the second-entry is of another valid identification. No new matter is added by this amendment.

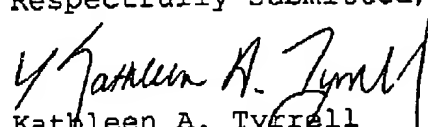
This amendment clearly distinguishes the present invention from Eisenberg which contains no teaching or suggestion with respect to second-entry of another valid identification different from a first valid entry.

Withdrawal of this rejection under 35 U.S.C. 102(b) is therefore respectfully requested.

III. Conclusion

Applicant believes that the foregoing comprises a full and complete response to the Office Action of record. Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Respectfully submitted,


Kathleen A. Tyrrell
Registration No. 38,350

Date: February 18, 2005

Licata & Tyrrell P.C.
66 E. Main Street
Marlton, New Jersey 08053

(856) 810-1515